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SIPDIS

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TAGS: [PREL](#) [PGOV](#) [LO](#) [UP](#)

SUBJECT: CAUTION AND UNCERTAINTY IN GOS AS UKRAINE ELECTION  
NEARS

REF: STATE 240442

Classified By: DCM Scott N. Thayer for reasons 1.4 B & D

1. (C) Summary and Introduction: Emboffs have discussed the second round of presidential elections in Ukraine with several GOS interlocutors this week. Expectations regarding outcome are divided--the Prime Minister's foreign policy advisor is optimistic about a Yushchenko win, while MFA policy planners give the nod to Yanukovich. The MFA Director General for EU Affairs cautioned against hasty negative declarations following the election in order to avoid giving Kuchma an excuse for invalidating the entire election. MFA Ukraine desk officer refused to speculate on the outcome, but predicted cooler relations with a Victor Yanukovich-led Ukraine. End summary.

A Call for Post-Election Caution  
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2. (C) Director General for EU Affairs Frantisek Ruzicka expressed caution and concern to DCM and POLEC Chief November 15 about international reaction to the second round. Although EU foreign ministers will "certainly" discuss the election at the Nov 22 GAERC, Ruzicka worried that a premature negative appraisal from international observers and commentators might give Kuchma an opening to invalidate the "flawed" elections, especially if there were a Yushchenko victory, thus allowing him to stay in office until elections could be rescheduled. With votes being counted up to ten days after the elections, it might be better to wait until the process has run its full course before making a final judgment. (Comment: Given Ruzicka's near-constant engagement with other EU interlocutors through COREU and the CFSP coordination process, his comments may perhaps reflect concerns of other EU member states.) Milan Jezovica, the PM's foreign policy advisor, rejected this concern in a separate conversation with DCM November 16, saying that Kuchma would not risk popular unrest if the election results were clearly disrespected.

The View from the Desk  
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3. (C) Poloff delivered reftel demarche November 16 to MFA Ukraine desk officer Radoslav Kusenda. Kusenda reiterated that the GOS wants to see a free and fair election in Ukraine and remains concerned about antidemocratic actions, but did not see Slovakia taking a hardline stance against its eastern neighbor. Slovakia will send its largest observer mission in its history to Ukraine and will reevaluate its foreign policy towards Ukraine after the ballot count.

4. (U) The GOS and Slovak NGOs observed the first round and will do the same for the second round vote. 108 Slovaks will have observed one of the two votes; 20 percent observed the first vote and 80 percent will observe the upcoming vote. Kusenda agreed with the U.S. description of Ukrainian pre-election and first round voting irregularities. The GOS supported the OSCE statement following the first round vote.

5. (C) After the vote count is completed December 6, the GOS will evaluate its policy towards Ukraine. Kusenda described the first round's outcome as administratively complicated.<sup>8</sup> It was not obviously antidemocratic as in Belarus, he said, but not completely free and fair either. Any policy shifts, including visa restrictions, would be made in close cooperation with the EU. He said bilateral visa restrictions are difficult, since Slovakia borders on Ukraine.

6. (C) Kusenda expected the GOS to have cooler relations with a Viktor Yanukovich-led Ukraine. While both candidates would need to court the same internal power interests, he said, Yanukovich would draw more heavily on the eastern Ukrainian industrial class and forge strong links with Russia. Victor Yushchenko would draw Ukraine closer to Brussels, giving the GOS a greater role in helping shape European policy towards Ukraine, he said. Kusenda described the EU policy towards Ukraine in the last year as incoherent.<sup>8</sup> (NOTE: GOS often presents Ukraine as one of its two foreign policy priorities and seeks a leadership role on Ukrainian issues at the EU.)

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